

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) **8:17CR74**
)
)
vs.)
)
NEWTON DALE) **ORDER**
)
)
Defendant..)

This matter is before the court on the defendant's unopposed Motion to Continue Trial [20]. Counsel is scheduled to begin trial in another case scheduled for May 9, 2017 and requests trial to be continued. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the unopposed Motion to Continue Trial [20] is granted as follows:

1. The jury trial, now set for May 9, 2017 is continued to **June 13, 2017**.
2. The defendant shall file an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 13, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED May 5, 2017.

BY THE COURT:

**s/ F.A. Gossett III
United States Magistrate Judge**